

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, October 13, 2020

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Weld called the meeting to order. The following Council Members were present in-person: Jill Christopherson, John Lor and Terry Weld. The following Council Members were present remotely: Emily Anderson, Kate Beaton, Emily Berge, Catherine Emmanuelle, Jeremy Gragert, David Klinkhammer, Andrew Werthmann and Mai Xiong.

UPDATE

Update by City Manager Peters during a City Declaration of Emergency regarding COVID-19.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, October 13, 2020:

- Adopting the Consent Agenda.
- Approving the Minutes of the September 22, 2020 Council Legislative Session.
- Granting new bartender licenses.
- Granting a Class B Fermented Malt Beverage license to Nortenita Grocery Y Panaderia, LLC, d/b/a Nortenita Grocery and Restaurant, 3001 & 3003 London Road, Santos Gonzalez Fas, agent.
- Granting a temporary expansion of the Combination Class B Intoxicating Liquor and Fermented Malt Beverage and a Class A Cabaret licensed premise of Caribou Enterprises, Inc., d/b/a Milwaukee Burger Company, 2620 E. Clairemont Avenue, to include a tented outdoor seating area from October 8, 2020 through March 31, 2021.
- Granting a Change of Agent for the Combination Class A Fermented Malt Beverage and Intoxicating Liquor license of Cenergy, LLC., d/b/a Mega Holiday #3734, 3314 E. Hamilton Avenue, from Christina Meckley to Joshua D. Brooks, be approved.
- Granting a Change of Agent for the Class A Fermented Malt Beverage and Class A Intoxicating Liquor (Cider only) license of Cenergy, LLC., d/b/a Mega Holiday #3715, 2806 Golf Road, from Amber A. Schmidt to John Disalle, be approved.
- Granting a Change of Agent for the Class A Fermented Malt Beverage and Class A Intoxicating Liquor (Cider only) license of Cenergy, LLC., d/b/a Mega Holiday #3713, 3702 Gateway Drive, from John Disalle to Hannah Henke, be approved.
- Receiving a petition and directing the City Engineer to prepare a report in accordance with Section 66.0703, Wisconsin Statutes, for grading, graveling, bituminous paving, and boulevard restoration on the Alley West of Mappa Street, from Randall Street to Bellinger Street.

- Receiving a petition and directing the City Engineer to prepare a report in accordance with Section 66.0703, Wisconsin Statutes, for grading, graveling, bituminous paving, and boulevard restoration on the Alley West of Dodge Street, from Emery Street to Seaver Street.
- Receiving a petition and directing the City Engineer to prepare a report in accordance with Section 66.0703, Wisconsin Statutes, for sewer main, water main, grading, graveling, curb & gutter, and bituminous paving on Barbara Jean Drive, from Brookline Drive to 1219 Barbara Jean Drive.
- Receiving a petition and directing the City Engineer to prepare a report in accordance with Section 66.0703, Wisconsin Statutes, for sewer main, water main, and bituminous paving on Sundet Road, from Lark Avenue to White Avenue.

Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Klinkhammer “to adopt the consent resolution.” Said motion passed by unanimous vote.

PROCLAMATIONS

President Weld read a proclamation proclaiming October 15, 2020, as White Cane Awareness Day in the City of Eau Claire and calling upon everyone to recognize the white cane as a tool of independence for blind and visually impaired pedestrians.

President Weld read a proclamation proclaiming October 12, 2020, as Indigenous Peoples Day in the City of Eau Claire and calling upon businesses, organizations, public institutions, and local governments to recognize and celebrate indigenous peoples and cultivate strong relationships with Wisconsin Native Nations.

GRANTS

The City Council considered a resolution accepting and appropriating Edward Byrne Memorial Justice Assistance Grant (JAG) formula program funds from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Berge “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution authorizing the Fire Department to accept grant monies from the Department of Natural Resources to purchase radio equipment. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Emmanuelle “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution authorizing City staff to apply for an Environmental Protection Agency (EPA) Brownfield Cleanup grant to assist with soil contamination remediation on City-owned property located adjacent to Fire Station #10 on Malden Avenue. Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Lor “to adopt the resolution.” Said motion passed by unanimous vote.

BUDGET APPROPRIATIONS

The City Council considered a resolution authorizing Operating and Capital Budget Appropriations for Fiscal Year 2020. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt the resolution.” Said motion passed by unanimous vote.

SITE PLAN

The City Council considered a resolution approving a site plan in a P-Public district to allow for a parking lot expansion known as Phase I for the Transportation Education Center for Chippewa Valley Technical College (CVTC) (File PZ-2006). Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Klinkhammer “to adopt the resolution.” Said motion passed by unanimous vote.

DECEMBER CITY COUNCIL MEETINGS

The City Council considered a resolution canceling the City Council meetings scheduled for December 21 and 22, 2020. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Beaton “to adopt the resolution.” Said motion passed by unanimous vote.

INTERIM CITY MANAGER

The City Council considered a resolution appointing an Interim City Manager. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Beaton “to adopt the resolution.” Said motion passed by unanimous vote.

CONTAGIOUS DISEASE EMERGENCY RESPONSE ORDER

The Council considered an ordinance amending Chapter 8.04 “Contagious Disease” by creating Section 8.04.021 entitled “Local Health Officer Orders” of the Code of Ordinances of the City of Eau Claire authorizing the local health officer to issue enforceable orders with necessary procedural and substantive safeguards. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Emmanuelle “to adopt the ordinance.”

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Christopherson “to postpone with direction” as follows:

WHEREAS, though there have been broad discussions regarding the proposed changes amending the "Contagious Disease" ordinance, there is a need for a deliberate pause; and

WHEREAS, the ability to take a step back can foster our community’s ability to bring partners and perspectives to the table that will strengthen the long-term ability to look at the public health perspective; and

WHEREAS, public policy frameworks such as a City Council Work Session and a City Council Pre-Legislative Discussions can foster collaboration between staff and policy makers.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eau Claire that the Public Health Director and City Manager bring a revised engagement plan and recommendations to form a task force to the Eau Claire City Council on or before Monday, January 25, 2021 in the form of a City Council Work Session, that includes an update on the proposed task force membership and community engagement, including a shared understanding of the process that will be used to engage our community on the strengths and limitations of amending Section 8.04.021.

BE IT FURTHER RESOLVED that the Eau Claire City-County Board of Health populate the task force membership.

BE IT FURTHER RESOLVED that the Public Health Department is the designated lead on the task force and engagement plans.

BE IT FURTHER RESOLVED that the Public Health Director and City Manager may consider and recommend a facilitator to assist in these efforts.

BE IT FURTHER RESOLVED that the Public Health Director and City Manager bring the findings of the community task force with recommendations to the City Council on the proposed “Contagious Disease” ordinance, on or before June 8, 2021 in the form of a pre-legislative work session.

BE IT FURTHER RESOLVED by the City Council of the City of Eau Claire that any changes to this schedule must be approved by the Eau Claire City Council, and should be coordinated through the Eau Claire City Manager.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Klinkhammer “to amend” the motion to postpone by adding the following to the motion with a friendly amendment:

BE IT FURTHER RESOLVED that the Public Health Director and City Manager are empowered to apply their professional judgment to shorten the time frame.

BE IT FURTHER RESOLVED that, should it be deemed a necessity, the City Council ~~supports~~ welcomes emergency legislative requests from the Public Health Department and shall act with all haste to protect local public health.

Said motion” to amend” the motion to postpone passed by unanimous vote.

A vote was then taken on the motion to postpone as amended. Said motion passed by the following vote: Aye: Council Members Anderson, Berge, Christopherson, Emmanuelle, Gragert, Klinkhammer, Lor, Weld, Werthmann and Xiong. Nay: Council Member Beaton.

ZONING

The City Council had first reading on an ordinance rezoning property located at 3301 & 3155 Birch Street, to amend the general development plan for a mixed-use development for a four-story apartment building and a commercial building (Z-1658-19 Amd).

The City Council had first reading on an ordinance rezoning property located at the southwest corner of the North Crossing and Mill Run Road from C-2P to R-3P and to adopt the general development plan for multi-family apartments up to 56 units (Z-1679-20).

ADJOURNMENT

The meeting adjourned without objection.

Adjournment: October 13, 2020

Time: 7:30 p.m.

ATTEST:

/s/ Terry L. Weld
Council President

/s/ Carrie L. Riepl
City Clerk